

MISSOURI COURT OF APPEALS EASTERN DISTRICT
OPINION SUMMARY
DIVISION THREE

TODD BEARDEN,)	No. ED104464
)	
Movant/Appellant,)	
)	Appeal from the Circuit Court
vs.)	of St. Francois County
)	
STATE OF MISSOURI,)	Honorable Robert S. Cohen
)	
Respondent.)	FILED: March 28, 2017

Todd Bearden appeals from the judgment of the circuit court denying his motion for post-conviction relief under Rule 24.035.

Bearden's plea was part of a "group plea" procedure in which six unrelated defendants in ten separate cases were represented simultaneously by the same public defender.

REVERSED AND REMANDED

DIVISION THREE HOLDS: Consistent with this court's previous holding in *Miller v. State*, No. ED103323, 2016 WL 2339049, we find the practice of group pleas sufficiently suspect to necessitate an individualized examination of voluntariness in a post-conviction evidentiary hearing.

Opinion by: Lisa Van Amburg, Judge

Angela T. Quigless, Presiding Judge, and Robert G. Dowd, Jr., Judge, concur.

Attorney for Appellant: Amy E. Lowe

Attorney for Respondent: Shaun J. Mackelprang

<p style="text-align:center">THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</p>
